

-6-

REMARKS

This amendment is responsive to the Office Action of September 14, 2007. Reconsideration and allowance of claims 11, 13-16, and 20-32 are requested.

The Office Action

Claim 12 stands rejected under 35 U.S.C. § 103 as being unpatentable over Adiga (US 2004/0005240) in view of Karamanos (US 2003/0171092).

Claims 13, 14, 17, and 27-28 stand rejected under 35 U.S.C. § 103 as being unpatentable over Adiga in view of Karamanos, further yet in view of Karamanos.

Claim 15 stands rejected under 35 U.S.C. § 103 as being anticipated by Adiga in view of Karamanos, further in view of Gonzales (US 2004/0084899).

Claims 11, 16, and 21-24 stand allowed.

Claims 25 and 26 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 20 and 29-32 were indicated as containing allowable subject matter if placed in independent form.

The Present Amendment Should Be Entered

The present amendment should be entered as placing the application in condition for allowance.

Specifically, independent claim 12 has been cancelled and dependent claim 20, previously indicated as containing allowable subject matter, has been placed in independent form including the subject matter of independent claim 12. Accordingly, it is submitted that claim 20 is now in condition for allowance.

Claims 13-15 which had depended from claim 12 have been amended to depend from claim 20. Accordingly, it is submitted that claims 13-15 and 20 are now in condition for allowance.

Claim 16 stands allowed. Dependent claim 25 has been amended to resolve the 35 U.S.C. § 112 issue. Accordingly, it is submitted that claim 16 and claims 11 and 21-26 dependent therefrom are now in condition for allowance.

-7-

Independent claim 17 has been cancelled. Dependent claim 29, previously indicated as containing allowable subject matter, has been placed in independent form. Claims 30 and 32 depend from claim 29. Dependent claim 30, previously indicated as containing allowable subject matter, has also been placed in independent form and claims 27 and 28 have been amended to depend from claim 31. Accordingly, it is submitted that claims 27-32 are now in condition for allowance.

Because the applicants have placed claims which the Examiner previously indicated contain allowable subject in independent form and have cancelled the rejected parent claims, it is submitted that this amendment should be entered and that all claims are now in condition for allowance.

Discussion

The applicants disagree that a baffle which is built into the ductwork when the building is built and intended to remain in place during the life of the building qualifies as a "temporary" baffle. Nonetheless, the applicants have cancelled claim 17. However, this cancellation is without prejudice to seek protection of this concept in a subsequent application.

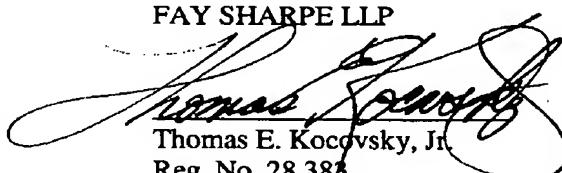
CONCLUSION

For the reasons set forth above, it is submitted that claims 11, 13-16, and 20-32 are now in condition for allowance. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is requested to telephone Thomas Kocovsky at (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP



Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2579
(216) 861-5582